

# National Canners Association

WASHINGTON, D. C.

Information  
Letter



For N. C. A.  
Members

Membership Letter No. 62.

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Some Publications Recommended by the N.C.A.  
Raw Products Research Bureau.  
Another Victory for Canner Fighting Unjustified Claim.  
Some Good Slogans.  
Glad to be Corrected.  
National Authority to Discuss Food Laws.  
Trade Mark Information.

Some Publications Recommended by the N.C.A. Raw Products  
Research Bureau.

The N.C.A. Raw Products Research Bureau recommends the following publications to canners:

Of interest to sweet cherry canners: "Why Sweet Cherries do not set fruit". Bi-monthly Bulletin, March, 1924, Western Washington Experiment Station, Puyallup, Washington. Advice is given regarding varieties to plant to insure cross-pollination for Royal Anne, Bing, and Lambert.

Of interest to berry canners in the Northwest: "Fertilizers for Berries". Bi-monthly Bulletin, March, 1924. Western Washington Experiment Station, Puyallup, Washington. Directions for management of plantation and use of fertilizers on berries. "For raspberries, a complete fertilizer containing 2% of nitrogen, 10% of phosphorus, and 10% of potash has been found to be satisfactory at this Station."

Of interest to Middle Western tomato canners: "Tomato Variety Tests, 1922-1923". Quarterly Bulletin, February, 1924, Michigan Agricultural Experiment Station, East Lansing, Michigan. Detailed report of variety studies including yield records, dates of maturity, and yields classified on basis of tonnage up to September 1.

Of interest to asparagus canners: "Story of Mary Washington Asparagus", by J.B. Norton. Market Growers Journal, Louisville, Kentucky, issue of March 15, 1924. Detailed history of the development of the Washington strains of asparagus, with description of breeding operations, emphasizing the superiority of the newer "Mary" Washington over the older Washington strains.

Another Victory for Canner Fighting Unjustified Claim.

Several years ago, unusual interest was aroused in the canning industry by the suit initiated and won by one of the larger canning companies to protect itself from unjustified cancellation of contracts on goods sold.

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We now present the facts of another case equally as interesting and we feel more important to the industry, because it serves to bring to the attention of all canners the fact that they should take steps to thoroughly investigate claims involving questions of quality, and fight unjust claims to the utmost.

The case also calls the attention of the trade supplying hotels and restaurants to the fact that such claims are a reflection on the entire canning industry and that neither such claims nor the fraudulent practice of substituting referred to, will be tolerated.

In the fall of 1918, a prominent western canning company sold a Seattle concern one thousand cases of gallon glass jug catsup, (packed six jugs to the case). The shipment was made at the buyer's request during the fall of 1918 and subsequent thereto.

The trade will recall that the market on catsup broke rather badly in 1919, and in the summer of 1919 the buyer complained that the catsup was not meeting ready sale, that the quality was inferior, and asked that he be given relief, stating that he had enough catsup on hand to last for two years.

The canning company was quick to resent the charge that the quality was inferior, especially so since they had had a chemical analysis made of every batch of the catsup showing it was high in solids and well within the United States Government requirements.

After vigorous correspondence between the two companies, the canning company was sued for a rebate of \$7.00 per dozen on six hundred dozen of the catsup, the buyer claiming that they had made a loss of \$7.00 in its resale on account of inferior quality.

The trial took place (before Judge Griffiths) in Seattle last November and it was proved that the catsup, then five years old, though slightly discolored, was still within the Government requirements.

The testimony also developed the fact that the buyer's sales force had preyed upon the good name of the canner's well established brand, and that the buyer had instructed his agents to buy back gallon jugs from the restaurant trade at from fifteen cents to twenty cents per jug, if the canning company's labels on the jugs were in good condition and giving his salesmen particular instructions to pick up only jugs bearing the label of the particular brand originally purchased from the canning company. It was proven that these jugs were refilled with different lots of bulk catsup.

It further developed during the trial that the catsup, as shipped by the canner, gave excellent satisfaction to the trade and that the real cause of dissatisfaction was the bulk catsup used in refilling.

After testimony was introduced, the Court said, in part:

"As I see it, the main reliance of the proof that the merchandise did not come up to the contract is first, that it was of poor quality and of such poor quality that the market would not take it, that it was all or practically all rejected, and so on; and second, that expert testimony showed it not to be of the quality contracted for.

"Now, on the first line of proof, the evidence is not very satisfactory that it was rejected on account of poor quality. There is a lot of

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evidence to the contrary, that customers took it, kept it, and did not reject any more of it than is usual in the trade. I do not recall any specific complaint by the ordinary customers. \*\*\*It is clear that the complaints for rebate and rejection were based on the state of the market, \*\*\*the people would not buy it\*\*\*I do not think, gentlemen, under the evidence, all of it considered, after listening to it patiently and observing the witnesses, as I have tried to do, that the Court can come to any other ruling than to find for the defendant."

The decision is an extremely important one, not only to canners but to distributors in the hotel and restaurant trade. The vicious practice of "refilling" indirectly involved in this case undoubtedly renders those who resort to it not only liable to prosecution by civil action but by criminal action for violation of the Food and Drug Act and State food laws which prohibit imitation or substitution of one food product for another.

#### Some Good Slogans.

As a result of the 1924 Canned Foods Week, the St. Louis Canned Foods Week Committee offers some prize slogans which may be of lasting value to canners. The Committee held a contest, and the prizes have recently been awarded. The ones given first, second, and third prizes, follow in order:

"Among the best foods in the land  
You'll find that most of it is canned."

"From the garden to the table  
No deception on the label."

"The garden's selection packed in tin  
With all the goodness sealed right in."

#### Glad to be Corrected.

Recently, the Travelers Insurance Company, of Hartford, Connecticut, put out a pamphlet to which the National Canners Association took exception. However, in answer to a letter from the Association, the President of the Company courteously wrote as follows:

"Replying to your letter of March 27 dealing with the pamphlet 'Keeping Fit', it seems to be the case that the question of canned vegetables vs. fresh vegetables resolves itself into one's preference. Even 'Keeping Fit' commends canned tomatoes and pickles.

"In my opinion, the value of the pamphlet will not be impaired if Paragraph 7, Page 9, and the sentence at the bottom of Page 12, to which you refer, are eliminated. I will, therefore, issue instructions that no further copies are to be distributed until these changes are made."

#### National Authority to Discuss Food Laws.

We are in receipt of advices from the Editorial Department of McCall's Magazine that their June issue will contain an article by Dr. E. V. McCollum and Nina Simmonds, of the Johns Hopkins University, which will treat the following subjects in a clear and practical way that the average housewife may easily understand:



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"Food Laws for Town and Home. By Dr. E.V. McCollum and Nina Simmonds, School of Public Health and Hygiene, Johns Hopkins University.

"Danger to health lurks in an impure water supply, or an unsanitary milk supply; flies are carriers of disease; sanitation should be insisted on in food and meat shops; the cooking of meat and fish should be thorough; eating cold meats and fish frequently causes food poisoning; the purity of foods commercially canned according to regulations of National Canners Association; home canned foods as the principal source of botulism--these are the main subjects Doctor McCollum discusses."

Trade Mark Information.

Canners who are engaged in export trade will probably be interested in a Trade Information Bulletin, No. 219, just issued by the Bureau of Foreign and Domestic Commerce, Department of Commerce, entitled "Trade Mark Protection in Latin America."

This bulletin may be obtained upon application to the Bureau.

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